

## Message Text

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C O N F I D E N T I A L BEIRUT 2813

EXDIS

E.O. 11652: GDS

TAGS: SREF PLO UNRWA XF

SUBJECT: PLO AND UNRWA

REFS: A. STATE 24984; B. USUN 266

SUMMARY: CHARGE AND EMBOFFS OVER PAST SEVERAL WEEKS HAVE REVIEWED DEPT'S POSITION AS CONTAINED REFTEL WITH UNRWA COMGEN RENNIE, DEPUTY COMGEN MCELHINEY AND UNRWA LEGAL ADVISER HEENAN. RENNIE UNDERSTANDS US VIEWS RE PLO, BUT HE STRESSES THAT HE "SERVANT OF UN" AND IS OBLIGED TAKE HIS CUE FROM UNGA DECISIONS AND FROM UN HEADQUARTERS. ON PARTICULAR SUBJECT OF PLO'S INCLUSION IN ADCOM MEETINGS, RENNIE NOTED THAT DECISION IN THIS REGARD IS NOT RPT NOT UP TO HIM, BUT TO ADCOM MEMBERSHIP. END SUMMARY.

1. ON GENERAL SUBJECT OF UNRWA RELATIONS WITH PLO, RENNIE HAS COMMENTED AS FOLLOWS:

(A) COMGEN STRESSES THAT NEITHER HE NOR HIS AGENCY ASSOCIATES ARE SEEKING OR PROMOTING PLO INTRUSION INTO UNRWA ACTIVITIES IN GENERAL OR ANY PLO ROLE IN ADCOM IN PARTICULAR, AND HE HOPES USG WILL APPRECIATE THIS FACT. AS SERVANT OF UN, HOWEVER, HIS PRINCIPAL CONERN IS TO AVOID PLACING HIMSELF IN POSITION OF FRUSTRATING ON GROUND IN ME IMPORT OF RESOLUTIONS ADOPTED BY UNGA.

(B) SITUATION IN LEBANON MAKES PERIODIC UNRWA CONTACTS WITH PLO-- WHICH CONTROLS ACCESS TO REFUGEE CAMPS, ETC.-- UNAVOIDABLE, TO  
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POINT WHERE SUCH CONTACTS HAVE BECOME OPERATIONAL

NECESSITY IN CARRYING OUT AGENCY'S MANDATE FROM UNGA. ALTHOUGH SUCH CONTACTS EXIST MOSTLY ON WORKING LEVEL, IT WOULD NOT BE CORRECT TO SAY ANY "FORMAL RELATIONSHIP" EXISTS BETWEEN UNRWA AND PLO. INDEED, ACCORDING TO RENNIE, USG ADMONITION IN THIS REGARD IS SOMEWHAT MISDIRECTED, SINCE COMGEN IS IN NO RPT NO POSITION TO ESTABLISH "FORMAL RELATIONSHIP".

2. IN HIS CONTACTS WITH ARAB HOST GOVTS, COMGEN HAS RECEIVED NO RPT NO INDICATION OF THEIR INTENT TO RAISE QUESTION OF PLO PARTICIPATION IN FUTURE ADCOM PROCEEDINGS. (RENNIE AND MCELHINEY CURRENTLY ENVISAGE THAT HOST GOVTS WILL REQUEST EMERGENCY ADCOM MEETING BE HELD SOMETIME IN NEXT TWO-THREE WEEKS, FOLLOWING THEIR RECEIPT OF MEMO WHICH COMGEN IS NOW PREPARING AND WHICH WILL OUTLINE AGENCY'S FINANCIAL POSITION AND PROBABLE NEED FOR CUTBACKS IN SERVICES TO REFUGEES IN MONTHS AHEAD.) RENNIE BELIEVES, HOWEVER (AND WE AGREE), THAT IT WOULD BE PRUDENT TO EXPECT THIS ISSUE WILL HAVE TO BE DEALT WITH AT NEXT ADCOM SESSION. IT WAS IN ACCORDANCE WITH THIS EXPECTATION THAT COMGEN IMMEDIATELY AFTER ADOPTION OF UNGA RESES ON "PALESTINE QUESTION"-- SOUGHT OPINION FROM UN LEGAL COUNSEL RE IMPLICATIONS OF THOSE RESES FOR UNRWA AND PARTICULARLY FOR ADCOM. WHILE RENNIE HAS NOT RPT NOT RECEIVED FULL TEXT OF UN LEGAL COUNSEL'S ADVICE AND IS SEEKING FURTHER CLARIFICATION OF CERTAIN POINTS THAT HAVE BEEN SUBMITTED TO HIM, HE HAS DEVELOPED FOLLOWING TENTATIVE CONCLUSIONS ON SUBJECT OF PLO'S INCLUSION IN ADCOM:

(A) COMGEN AGREES THAT ADCOM CANNOT GRANT ADCOM MEMBERSHIP TO PLO, SINCE THIS FUNCTION IS RESERVED TO UNGA. COMGEN ALSO BELIEVES PLO HAS NO RPT NO A PRIORI RIGHT TO ANY FORM OF INCLUSION IN ADCOM PROCEEDINGS.

(B) HOWEVER, PENDING RECEIPT OF FURTHER CLARIFICATIONS FROM UN HEADQUARTERS, COMGEN BELIEVES THAT ADCOM MEMBERS HAVE IT IN THEIR CAPACITY-- AS NOTED PARA 3 REFTEL B-- TO INVITE PLO TO TAKE PART IN ADCOM PROCEEDINGS. (WE WISH DRAW THIS POSSIBILITY, WHICH IS NOT MENTIONED IN REFTEL A, TO DEPT'S ATTENTION.) IF THIS SHOULD HAPPEN, RENNIE SAYS UNRWA COULD NOT THWART ADCOM'S DECISION, AND HE HOPES USG WOULD NOT RPT NOT ALLOW ITS OPPOSITION TO SUCH DECISION TO AFFECT US RELATIONSHIP WITH AGENCY. COMGEN BELIEVES HE COULD NOT RPT NOT REFUSE TO ACCEPT ADCOM DECISION ON CONFIDENTIAL

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GROUND THAT ADCOM'S WORK INVOLVES MATTERS "IN WHICH PLO HAS NO PARTICULAR INTEREST", SINCE UNRWA OPERATIONS CLEARLY INVOLVE WELFARE OF PERSONS WHOM PLO PURPORTEDLY (OR NOT SO PURPORTEDLY, IN VIEW OF UNGA) REPRESENTS.

(C) RE FORM AND DURATION OF PARTICIPATION (SHORT OF MEMBERSHIP) WHICH ADCOM MIGHT ACCORD TO PLO, COMGEN IS LESS CERTAIN AND IS SEEKING FURTHER ADVICE FROM UN LEGAL COUNSEL ON THIS POINT ALSO.

(COMMENT: WE NOTE, IN THIS CONNECTION, THAT DEPT'S USE OF TERM "PERMANENT STATUS" IN PARA 2 REFTEL 1 COULD BE CONSTRUED AS US WILLINGNESS TO ACCEPT POSSIBILITY OF SOME LESSER--I.E., "TEMPORARY" OR "CONDITIONAL"--STATUS.) UNLESS UN LEGAL COUNSEL DISAGREES, RENNIE IS INCLINED BELIEVE THAT LEGAL BASIS EXISTS IF ADCOM SHOULD SO DECIDE, FOR GRANTING "OBSERVER" STATUS TO PLO EITHER FOR SINGLE MEETING OR ALL MEETINGS WHICH ADCOM DOES NOT DECLARE TO BE "CLOSED". (FYI: ADCOM TO DATE HAS NEVER HAD TO DISTINGUISH BETWEEN CLOSED AND OPEN SESSIONS. WHILE ADCOM CHAIRMAN (JAPAN) THEORETICALLY COULD AVOID PLO ISSUE BY DECLARING UPCOMING MEETING CLOSED, PLO SUPPORTERS COULD PROBABLY MUSTER SUFFICIENT VOTES TO REVERSE HIS DECISION AND DECLARE MEETING OPEN, THEREBY ADMITTING NOT ONLY PLO REPS BUT POSSIBLY GENERAL PUBLIC AS WELL.) FURTHERMORE, IF ADCOM SHOULD GRANT "OBSERVER" STATUS TO PLO, UNRWA LEGAL ADVISER BELIEVES CURRENT PRACTICE REGARDING TREATMENT OF "OBSERVERS" IN UN STANDING COMMITTEES WOULD APPLY--I.E., PLO REPS WOULD ACQUIRE ALL RIGHTS TO PARTICIPATE IN ADCOM PROCEEDINGS EXCEPT RIGHT TO VOTE AND RIGHT TO INTRODUCE AND SPONSOR RESOLUTIONS.

3. ACTION REQUESTED: REQUEST DEPT'S VIEWS RE FOREGOING, PARTICULARLY RE POSSIBILITY OF ADCOM DECISION TO INVITE PLO PARTICIPATION MENTIONED PARA 2(B) ABOVE. DEPT SHOULD ALSO TAKE INTO ACCOUNT POSSIBILITY THAT NEITHER WE NOR COMGEN MAY OBTAIN ADVANCE NOTICE OF INTENT BY ANY HOST GOVT TO PROPOSE PLO PARTICIPATION IN UPCOMING ADCOM MEETING, AND THAT THIS ISSUE MAY CONFRONT US ONLY ONCE ADCOM ACTUALLY CONVENES. US REP IN ADCOM WILL THEREFORE NEED CONTINGENCY GUIDANCE ON HOW TO REACT IF THIS HAPPENS.  
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